



ఆంధ్ర ప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
PART-I EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 400]

HYDERABAD, WEDNESDAY, AUGUST 26, 2009.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

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COMMISSIONER OF PROHIBITION & EXCISE

SHOW-CAUSE NOTICE ISSUED TO SRI R. KISHAN, P & EI – REVIEW OF SENIORITY WITH REFERENCE TO SUBSTANTIVE VACANCIES IN THE SENIORITY LIST OF P & EIs.

- Ref: 1. This office Cr.No.A4/4948/2004, dated: 3-9-2007
2. Rep.of Sri R. Kishan, P&EI, dated: 31-1-2009
(submitted to the Government)
3. Govt.Memo No.5412/Ex.I(2)/2009-2, dt.15-5-2009
4. CPE, Cr.No.14581/2008/CPE/L4, dated: 25-5-2009

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Cr. No. A4 / 68 / 2008.—

Sri R. Kishan was initially selected as Prohibition & Excise Sub-Inspector on 2-11-1996. Thereafter, as per the orders of the Hon'ble APAT in OA.No.1407/1998, he was considered for retrospective appointment as Proh. & Excise Inspector from 29-5-1997. A direct recruit Excise Inspector was required to pass certain departmental tests within the period of probation. Sri R. Kishan passed the last test on 12-5-2001. Accordingly, the Govt. vide G.O.Rt.No.2220, dated: 21-11-2003 extended his probation upto 26-7-2001 and he was deemed to have commenced his probation from 25-7-1999 under Rule-16(h) of APSSS Rules. Due to extension of probation Sri R. Kishan P&EI is eligible for seniority from 25-7-1999 under Rule-16(h).

A final seniority list of Prohibition and Excise Inspectors of Zone-VI was communicated vide reference 1st cited. In this list, the Direct recruit Excise Inspectors who joined in 1996/1997 have been given placements upto panel year 1996-97 as per their quota. In Hyderabad Division, the last Direct Recruit Excise Inspector joined on 27-12-1997 and he has been placed at Seniority No.201 as per their quota and slots. The Government vide G.O.Ms.No.453, Rev.(Ex.I) Dept., dt.30-5-1997 have abolished the method of Direct recruitment for the post of Excise Inspector. Therefore, after placing the last Direct Recruit at Seniority No.201 upto panel year 1996-97, (103) promotees who were promoted during the period between 1989 to 1997 (i.e.before 25-7-1999) and who could not get seniority according to their quota upto panel year 1996-97 were given seniority placements from Sl.No.202 to 304. These 103 promotees were given date of regularization as 27-12-1997 (i.e. deemed date of last Direct Recruit) on the ground that they were in the cadre as on 27-12-1997 holding a vacancy and all vacancies are meant for promotees due to discontinuation of direct recruitment. While adopting this analogy, the number of substantive vacancies in the cadre of Proh.& Excise Inspector for the period from 27-12-1997 to 25-7-1999 were not considered. There are only 12 substantive vacancies during the above period.

Aggrieved by the above analogy, Sri R. Kishan, P&EI filed an appeal before the Government. The Government vide memo 3rd cited, have informed that vide G.O.Ms.No.453, Rev.(Ex.I) Dept., dt.30-5-1997, the A.P.Excise Service Rules were amended by dispensing the method of appointment by Direct Recruitment in the cadre of Proh.& Excise Inspector. As such rota-quota need not be followed w.e.f. 30-5-1997. However, Sri R. Kishan who was appointed as Proh.& Excise Inspector by way of Direct Recruitment against a substantive vacancy is to be assigned seniority w.e.f.25-7-1999 among the substantive vacancies existing during the relevant panel year. The Govt. further informed that the DC, Hyderabad in his seniority list, dt.3-9-2007 assigned seniority to Sri R. Kishan w.e.f.25-7-1999 but erroneously adjusted the unfilled Direct Recruitment vacancies available as on 30-5-1997 to promotees. The Govt. have informed that the action of the DC, Hyderabad in adjusting all the vacancies after the issue of the above G.O. in which Direct Recruitment was dispensed with is not correct. The Govt. have therefore decided to consider the request of Sri R. Kishan, P&EI to review his seniority with reference to substantive vacancies till the date of his commencement of probation i.e.25-7-1999 under Rule 16(h). Accordingly, the Govt. have requested the Commissioner of Proh.& Excise to take up necessary revision duly following the procedure i.e. by issue of notices to the persons likely to be affected.

In the reference 4th cited, the Commnr.of Proh.& Excise, while communicating the above orders of the Govt. have requested to take necessary action in the matter as ordered by the Govt. duly following the rules.

In this regard, it is informed that only (12) substantive vacancies of Prohibition and Excise Inspectors have arisen in Zone-VI from the period between 27-12-1997 to 25-7-1999. During this period, there is no quota for direct recruitment. Hence, all the 12 substantive vacancies would go for promotees. In view of the orders of the Government, it is proposed to place Sri R. Kishan at Sl.No.213 (a) i.e. below 12 promotees after the last Direct Recruit who is at Sl.No.201 in the final seniority list of Proh.& Excise Inspectors, dt.3-9-2007.

G-421.

Therefore, Sri K.M. Venkateshwarlu, P&EI (Retd.) & 62 other retired affected persons shown below, who are likely to be affected with the above proposal is called-upon to file objection, if any, against the proposed revision of placement of Sri R. Kishan, within (15) days from the date of receipt of this notice, failing which, the provisional decision will be finalised basing on the material available on record.

To

Sri:

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|--------------------------|------------------------|---------------------|
| 1. K.M. Venkateshwarlu | 2. P. Mohan Reddy | 3. Abdul Ali |
| 4. M.A. Hafiz Khan | 5. C.P. Joseph | 6. Taher Ali Khan |
| 7. Iqbal Ahmed Khan | 8. KVA Raju | 9. M.A. Haleem |
| 10. Fasi-ur-Rahman | 11. R. Murali | 12. Mahmoodali |
| 13. T. Laxminarayana | 14. M. Laxmaiah | 15. Md. Faizuddin |
| 16. S. Rajender | 17. Ahmed Ali Baig | 18. Sk. Habeeb |
| 19. P. Santosh Reddy | 20. M.A. Raheem | 21. P. Srinivasulu |
| 22. Alauddin Khan | 23. R. Viswanath Rao | 24. N. Surender |
| 25. B. Jagan Mohan Reddy | 26. J.K. Vyas | 27. Syed Ahmed |
| 28. Asadulla Ansari | 29. S. Satyanarayana | 30. C. Venkat Reddy |
| 31. T. Sal Reddy | 32. L. Moses Roy | 33. H. Silva Lal |
| 34. K. Janardhan Reddy | 35. K. Rameshwar Rao | 36. Ahmed Hussain |
| 37. D. Sadanandam | 38. G. Prasanna Rao | 39. K. Amrutham |
| 40. C. Gopia | 41. Mohd. Ibrahim | 42. K. Laxmaiah |
| 43. T. Gopal Reddy | 44. N. Laxman Rao | 45. R. Anjaiah |
| 46. C. Venkateshwarlu | 47. K. Prabhakar Rao | 48. E. Devadanam |
| 49. G. Sudershan Rao | 50. Rasheed Ahmed | 51. B. Narsaiah |
| 52. Md. Jameeluddin | 53. Syed Vilayat Ali | 54. D. Atma Rao |
| 55. Syed Hameed Hussain | 56. D.I. John Sudhakar | 57. N. Ramulu |
| 58. B. Gangadhar | 59. BR. Prakash Rao | 60. G. Rajamannar |
| 61. Khaja Hameedullah | 62. K. Murlidhar Reddy | 63. Mohd Ali |

Hyderabad,
09-06-2009.

CH.V. GOPINATH,
Dy. Commissioner of Proh. & Excise,
Hyderabad Division.

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